

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
STATESVILLE DIVISION**

THE MEDICINES COMPANY,

Plaintiff,

v.

EXELA PHARMA SCIENCES, LLC,
EXELA PHARMSCI, INC., and
EXELA HOLDINGS, INC.,

Defendants.

Civil Action No. 5:14-cv-00058-RLV-DSC

ORDER

THIS MATTER is before the Court on Plaintiff's "Motion to Compel [Defendants] to Comply Fully with the Local Patent Rules Concerning Claim Construction Disclosures" (document #71) and "Defendants' Motion to Compel Depositions and for Related Relief" (document #74), as well as the parties' briefs and submissions.

The Court has carefully reviewed the parties' arguments, the authorities and the record. For the reasons stated in Defendants' briefs, their Motion is granted in part and denied in part. For the reasons stated in Plaintiff's briefs, its Motion is granted.

NOW IT IS HEREBY ORDERED that:

1. "Defendants' Motion to Compel Depositions and for Related Relief" (document #74) is **GRANTED IN PART** and **DENIED IN PART**, that is, on or before April 30, 2015, Plaintiff shall produce Gopal Krishna and Gary Musso for claim construction depositions. If the parties are unable to agree as to the date, time and/or location of the depositions, they shall occur as noticed by Defendants.

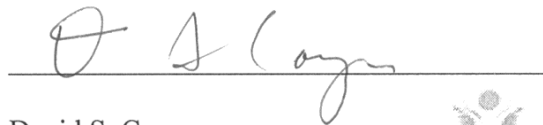
2. Plaintiff's "Motion to Compel [Defendants] to Comply Fully with the Local Patent Rules Concerning Claim Construction Disclosures" (document #71) is **GRANTED**. On or before May 7, 2015, Defendants shall serve supplemental claim construction disclosures that fully identify the intrinsic and extrinsic evidence that they will rely upon to support their claim construction positions pursuant to the Local Patent Rules, and identify and designate the specific portions of the inventor deposition testimony that they intend to rely upon to support their claim construction positions.

3. The parties shall bear their own costs at this time.

4. The Clerk is directed to send copies of this order to the parties' counsel; and to the Honorable Richard L. Voorhees.

SO ORDERED.

Signed: April 14, 2015

A handwritten signature in cursive script, appearing to read "D S Cayer", is written over a horizontal line.

David S. Cayer
United States Magistrate Judge

